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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(Honorable Cathy Ann Bencivengo)**

UNITED STATES OF AMERICA,) CASE NO.: 3:13-cr-3046-CAB
v.)
Plaintiff) **NOTICE OF MOTION AND**
) **SECOND/SUPPLEMENTAL MOTION**
) **TO: 1) COMPEL DISCOVERY and 2)**
) **GRANT LEAVE TO FILE FURTHER**
) **MOTIONS**
WILLIAM RICHARD BAILEY)
Defendant.) Date: November 22, 2013
) Time: 11:00 a.m.
) Courtroom 4C

TO: THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF CALIFORNIA:

PLEASE TAKE NOTICE that on November 22, 2013 at 11:00 a.m or as soon thereafter as counsel may be heard, the defendant WILLIAM RICHARD BAILEY, by and through his counsel, David M. Michael and Lance Rogers, hereby submits his second/supplemental motion for this Court to compel discovery and to grant leave for defendant to file further motions.

1 **I.**

2 **MOTION**

3 The defendant, WILLIAM RICHARD BAILEY, by and through his counsel, David M.
4 Michael and Lance Rogers, pursuant to Federal Rules of Criminal Procedure 12, 14, 16 and 26,
5 the Fifth and Sixth Amendment to the United States Constitution, and all other applicable
6 statutes, case law and local rules, hereby moves this Court for an Order:

7 To Compel Production of Discovery;

8 Grant Leave to File Further Motions;

9 This motion is based upon the instant notice of motion and motion , the statement of
10 facts and memorandum of points and authorities filed herewith, and any and all other materials
11 or arguments on file or that may come to this Court's attention at the time of the hearing on this
12 motion.

13
14 Respectfully submitted,

15 Dated: November 9, 2013

16 *s/David M. Michael*
17 DAVID M. MICHAEL
18 Attorney for Defendant WILLIAM RICHARD BAILEY

19 **CERTIFICATE OF ELECTRONIC SERVICE**

20
21 I hereby certify that, on 9 November 2013, I electronically filed the foregoing with the
22 Clerk of the Court for the Southern District of California by using the CM/ECF system. I certify
23 that all participants in the case are, or have applied to be, registered CM/ECF users and that
service will be accomplished by the CM/ECF system.

24 *s/David M. Michael*
25 DAVID M. MICHAEL
26 Attorney for Defendant WILLIAM RICHARD BAILEY